

FEB 02 2007

Appl. No. 10/796,215

Attorney Docket No. 10000-353  
Client Reference No. PA-5377-RFB**II. Remarks**

Claims 1-35 of the present application are pending and have been rejected. By this Paper, Applicants amend claims 1, 11, 23, 29, 30, and 35. Claims 1, 11, 23, 29, 30, and 35 have been amended to recite that the first tubular portion is "a non-rigid polymer tube." Support for the amendments may be found on page 7, paragraph [0022], lines 9-10 of the present application. Thus, no new matter has been added. With the amendments and remarks provided herewith, Applicants respectfully request reconsideration and withdrawal of all rejections to the claims.

Responsive to the rejections of claims 1-3, 5-10, 23-28, and 30-35 under 35 U.S.C. § 102 as being anticipated by U.S. Patent No. 6,425,898 to Wilson et al. ("*Wilson*"), *Wilson* fails to teach each and every element of the invention as claimed in claims 1, 23, 30, and 35. For example, each of amended claims 1, 23, 30, and 35 recite a first tubular portion being "a non-rigid polymer tube." Contrarily, *Wilson* is absent any teaching of a first tubular portion (e.g., see reference numeral 16 of Fig. 5 in *Wilson*). In fact, *Wilson* teaches that a proximal portion/end (16) is made of stainless steel to give the shaft the "necessary" rigidity or stiffness it needs to effectively push out the stent. See *Wilson* col. 5, ll. 40-44. Thus, *Wilson* fails to teach each and every element of the invention as claimed in claims 1, 23, 30, and 35.

Claims 2-3, 5-10, 24-28, and 31-34 depend generally from claims 1, 23, or 30. Thus, claims 2-3, 5-10, 24-28, and 31-34 are allowable for the reasons provided above.

Responsive to the rejections of claims 4, 11-22, and 29 under 35 U.S.C. § 103 with *Wilson* in view of U.S. Patent No. 6,790,222 to Kugler et al. ("*Kugler*"), the combination does not teach or suggest all the elements of the invention as claimed in independent claims 1, 11, and 29. For example, each of independent claims 1, 11, and 29 has been amended to recite a first tubular portion being "a non-rigid polymer tube." As mentioned above, *Wilson* fails to teach such limitation. Additionally, there is no suggestion or motivation to combine *Wilson* and *Kugler* to result in a first tubular portion being a non-rigid polymer tube.

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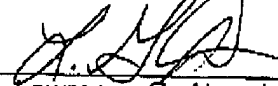
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Claims 4, and 12-22 depend generally from one of independent claims 1 and 23. Thus, claims 4 and 12-22 are allowable for the reasons provided above.

Therefore, claims 1-35 are in a condition for allowance and such action is earnestly solicited.

February 2, 2007  
Date

Respectfully submitted,



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